

### **REMARKS**

The Advisory Action dated August 24, 2004, has been received and reviewed. Claims 1, 4, 11 and 33–34 are pending and stand rejected. Applicants respectfully request reconsideration of the application as amended herein and in view of the arguments below.

#### **I. Amendments to the Specification**

The specification has been amended in order to comply with the sequence rules 37 CFR § 1.821–1.825. Sequence listing identifier numbers have been added to all nucleotide and amino acid sequences disclosed in the application. Applicants submit the attached Substitute Sequence Listing that includes all nucleotide and amino acid sequences described hereinabove. Applicants state that the present paper copy and computer-readable form of the Substitute Sequence Listing are the same, that the Substitute Sequence Listing includes no new matter and respectfully request the entry thereof.

### **ENTRY OF AMENDMENTS**

The amendments to the claims above should be entered by the Examiner because the amendments are supported by the as-filed specification and drawings and do not add any new matter to the application. Further, Applicants believe that the amendments do not raise new issues or require a further search. Applicants further submit that the amendments should be allowed pursuant to 37 C.F. R. § 1.116, because amendments after final representing rejected claims in better condition for allowance may be admitted.

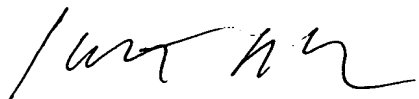
In re: Wheeler et al.  
Serial No.: 09/823,069  
Filed: March 30, 2001  
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### CONCLUSION

In view of the remarks presented herein, Applicants respectfully submit that the claims define patentable subject matter. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney, Jarett K. Abramson, at (919) 854-1400.

It is not believed that an extension of time and/or additional fee(s)-including fees for net addition of claims-are required, beyond those that may otherwise be provided for in documents accompanying this paper. In the event, however, that an extension of time is necessary to allow consideration of this paper, such an extension is hereby petitioned under 37 C.F.R. §1.136(a). Any additional fees believed to be due in connection with this paper may be charged to our Deposit Account No. 50-0220.

Respectfully Submitted,



Jarett K. Abramson  
Registration No. 47,376

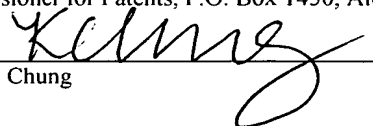
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Katie A. Chung